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OFFICE OF PETITIONS

In re Application of :
David Finlay Taylor, et al. :
Application No. 10/084,498 : **DECISION ON PETITION**
Filed: February 28, 2002 :
Attorney Docket No. 4481.045 :

This is a decision on the petition under the provisions of 37 CFR 1.181, filed October 17, 2006, to withdraw the holding of abandonment in the above-identified application.

The petition to withdraw the holding of abandonment under 37 CFR 1.181 is **DISMISSED**.

A review of the record discloses that the application became abandoned for failure to timely pay the issue and publication fees on or before July 14, 2006 as required by the Notice of Allowance and Fee(s) Due, mailed April 14, 2006. Accordingly, the date of abandonment of this application is July 15, 2006. The petition states that the credit card form indicated the incorrect application number and attorney docket number. Unfortunately, because the information was incorrect on the credit card form the Office had no way correctly match the issue and publication fee to the correct application. Consequently, the error was deemed to be that of the petitioner, so the petition under 37 CFR 1.137(b) is deemed necessary.

This is also a decision on petition under 37 CFR 1.137(b) to revive the above-identified application, filed October 17, 2006.

The petition to revive under 37 CFR 1.137(b) is **GRANTED**.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$1400 the publication fee of \$300, (2) the petition fee of \$1500; and (3) a proper statement of unintentional delay.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to April Wise at (571) 272-1642.

This application is being referred to Publishing Division for processing into a patent.



Irvin Dingle
Petitions Examiner
Office of Petitions

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